104-10117-10335

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CIA HISTORICAL REVIEW PROGRAM

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NI = NOT IDENTICAL
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				OVERT	COVERT
1					
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JFK ACT RELEASE

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FORM 745 OBSOLETE PRIOR USE AND OBSOLETE.

INDICES SEARCH REQUEST

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(38-43)

CITIZEN-PATRIOT

E - 39,603
S - 48,831
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Mrs H AP

Ray's Ex-Attorney Calls Dismissal Part of Possible Plot

(C) New York Times News Service

BIRMINGHAM — Arthur J. Hanes, the dismissed attorney for James Earl Ray, contended today that it was "entirely possible" that he had been picked as Ray's attorney only to underscore the racial aspect of the assassination of the Rev. Dr. Martin Luther King Jr. and that he had never been expected to be the actual trial lawyer.

Hanes has received wide publicity for defending three Ku Klux Klansmen in a civil rights case.

Hanes said it was also possible that Ray had been told, even before King was murdered, that "he should contact me" if he was arrested.

The lawyer offered his observations in an interview in Birmingham.

He said he still could hardly credit the brusque manner in which he and his son, Arthur J. Hanes Jr., were dismissed from the Ray case last Sunday night when they arrived at the Shelby jail in Memphis to give Ray a new gray suit to wear during his trial. Upon his arrival the lawyer was handed a note from Ray stating that he had been relieved.

Hanes said that for months he had been aware of many indications that Ray might be preparing to switch attorneys and that about a month ago he became virtually certain that this was Ray's plan. The attorney said that he had mentioned this possibility to the scheduled trial judge, W. Preston Battle, and to the prosecutor, P. M. Canale, the Shelby County attorney general.

"But Ray didn't say anything and Artie and I had to proceed on the assumption that we were going to trial. So we put together just a great defense for Ray, including a few bombshells," Hanes said.

The suggestion that Hanes was retained with an intention of underscoring the racial aspects of King's murder, Hanes contended, arose from a combination of circumstances.

Hanes was elected mayor of Birmingham six years ago on a racist platform after joining forces with Alabama's arch segegationist, Euguene (Bull) Connor, then the Birmingham police commissioner.

Three years ago, Hanes was hired to defend three Ku Klux Klansmen who were accused of murdering Mrs. Viola Gregg Liuzza, a civil rights worker slain during the Selma-to-Montgomery march.

Hanes is a former agent of the Federal Bureau of Investigation and a one-time contract employe of the Central Intelligence Agency.

William Bradford Huie, the author who bought the rights to Ray's life story, says in an article in the current Look magazine that from information furnished to him by Ray, he concluded that the Negro civil rights leader's murder had been ordered by men who wanted his death to provoke outbreaks of violence between whites and Negroes. They were said, for this reason, to prefer that the murder occur in Birmingham, Montgomery or Selma.

Hanes decided that he and his son should undertake Ray's defense, notwithstanding their conclusion, and that they should proceed on the assumption that the murder had been plotted and financed by what he called "black militants with foreign ties."

Hanes said that the attitude of Ray's brothers, John Ray and Jerry Ray, had helped him form the conclusion that he was never to be the defense attorney at Ray's trial.

"You would expect the family to flock around the attorney to offer help and advice," Hanes said. "But I couldn't even get close to them. I offered to meet with them in St. Louis, Memphis, Birmingham or any place else. But I never did see either one of them."

Hanes said that he had not learned until after he had been dismissed by Ray that the two brothers had ordered a copy of the British hearings on the Ray case.

"That certainly indicated they had tried to find another attorney," he said.

Percy Foreman, the Houston criminal lawyer who agreed Sunday night to represent Ray, said that John and Jerry Ray had asked him last week to take the case and that he reluctantly had agreed to do so after going to Memphis to talk to Ray himself.